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PATENT

03/31/00
JC712 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 9008-9

DATE: March 31, 2000

JC682 U.S. PTO
09/540426
03/31/00

UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))

BOX PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP)
of prior application no.: ; filed
☐ A Small Entity Statement(s) was filed in the prior application; Status still proper and desired.

Inventor(s) or Application Identifier:

Brenda S. Jones

Entitled: INTRAVENOUS FLUID BAG PROMOTIONAL APPARATUS WITH CLOCK

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 13 pages of Specification (including 20 claims)
3. ☒ 5 sheets of Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☒ newly executed (*original or copy*)
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 5 Below]
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (*Appendix*)
7. ☒ Assignment papers (*cover sheet(s) and document(s)*)
8. ☒ Small Entity Statement(s)
9. ☐ Information Disclosure Statement, PTO-1449, and references cited
10. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
11. ☐ English Translation Document
12. ☐ Certified Copy of Application No. ; Filed

13. ☐ Sequence Listing/ Sequence Listing Diskette
 a. ☐ computer readable copy
 b. ☐ paper copy
 c. ☐ statement in support
 14. ☐ An Associate Power of Attorney
 15. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
 16. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$345.00	\$690.00
TOTAL CLAIMS	20 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	4 - 3 =	1	x 39 = \$ 39.00	x 78 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 130 = \$	+ 260 = \$
If the difference in Col. 1 is less than zero, Enter "0" in Col. 2			Total \$ 384.00	Total \$

- ☐ A check in the amount of \$ to cover the filing fee is enclosed.
- ☒ A check in the amount of \$424.00 is enclosed to cover the filing fee (\$384.00), PLUS the Assignment Recordation fee (\$40.00).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

Needham J. Boddie II

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CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EL533612945US
 Date of Deposit: March 31, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Lucille H. Gillette
 Lucille H. Gillette

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket No. 9008-9

Applicant: Brenda S. Jones

Serial No.: New Application

Filed: Concurrently herewith

Title: **INTRAVENOUS FLUID BAG PROMOTIONAL APPARATUS WITH CLOCK**

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN

I hereby declare that I am

☐
☒

the owner of the small business concern identified below:
an official of the small business concern empowered to act
on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Adstracts, Inc.
ADDRESS OF SMALL BUSINESS CONCERN: 312 West Millbrook Road, Suite 241
Raleigh, NC 27609

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.1301-1305, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒
☐
☐

the specification filed herewith with title as listed above.
the application identified above.
the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c) if that person made the invention, or by any concern which

would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:



no such person, concern, or organization exists.



each such person, concern, or organization is listed below.

Name: _____

Address: _____

☐ Individual ☐ Small Business ☐ Nonprofit Organization

Name: _____

Address: _____

☐ Individual ☐ Small Business ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: _____ Robert A. Jones

TITLE OF PERSON OTHER THAN OWNER: _____ Vice President

ADDRESS OF PERSON SIGNING: _____ 312 West Millbrook Road, Suite 241
Raleigh, NC 27609

SIGNATURE: _____ DATE: 3-30-00

INTRAVENOUS FLUID BAG PROMOTIONAL APPARATUS WITH CLOCK

FIELD OF THE INVENTION

The present invention relates generally to product promotion and, more particularly, to the promotion of healthcare-related products.

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BACKGROUND OF THE INVENTION

The use of promotional items has proliferated in today's increasingly competitive marketplace, where companies are constantly seeking more effective and new ways to market their products. In the healthcare industry, physicians and other healthcare providers often receive promotional articles from vendors of healthcare-related products, such as pharmaceutical products. These promotional articles often include "everyday" items, such as writing pads, calendars, and pens that have promotional information (indicia) printed thereon. For example, pharmaceutical companies often provide physicians with writing pens having the name of a particular pharmaceutical product printed thereon with the hopes that the pens will help remind the physicians to prescribe the particular pharmaceutical product.

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Unfortunately, because of lack of distinctiveness, many promotional articles provided to healthcare providers often become "lost-in-the-shuffle" with other promotional articles. Thus, there is a need for distinctive, more effective promotional products directed to physicians and other healthcare providers.

SUMMARY OF THE INVENTION

In view of the above discussion, a novel promotional apparatus is provided and includes a transparent, flexible intravenous fluid bag replica having a clock thereon. Promotional indicia is preferably provided on the intravenous fluid bag. The flexible intravenous fluid bag replica is configured to be suspended from the arm of a stand to resemble an intravenous fluid bag in operation. According to other embodiments, the clock may be configured to be mounted directly to a wall, or may be supported at an angle via cradles or desktop stands.

According to another embodiment of the present invention, a flexible intravenous fluid bag may be formed from a pair of flexible, transparent polymeric sheet panels disposed substantially parallel to each other and joined along respective peripheral edges thereof to form a pouch. In addition, at least one of the transparent polymeric sheet panels may include promotional indicia for a healthcare product thereon.

A clock, such as a digital clock, is mounted on one of the flexible polymeric sheet panels. A stand configured to suspend the pouch vertically to resemble an intravenous fluid bag in operation may also be

provided.

According to another embodiment of the present invention, a promotional apparatus includes a rigid, transparent block having a shape that resembles an intravenous fluid bag with a clock mounted thereto. Preferably, a cavity is formed within a face of the block and a portion of the clock is disposed within the cavity.

Accordingly, the present invention provides distinctive promotional apparatus that may be especially effective when directed to healthcare providers.

BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a perspective view of an intravenous fluid bag having a clock thereon and vertically suspended from a stand according to an embodiment of the present invention.

Fig. 2 is a perspective view of the intravenous fluid bag of **Fig. 1** suspended from a wall-mounted hook.

Fig. 3 is a perspective view of the intravenous fluid bag of **Fig. 1** supported within a desktop support.

Fig. 4 is a perspective view of a promotional apparatus having the distinctive shape of an intravenous fluid bag and having a clock disposed thereon according to another embodiment of the present invention.

Fig. 5 is an exploded perspective view of the promotional apparatus of **Fig. 4**.

DETAILED DESCRIPTION OF THE INVENTION

The present invention now will be described more fully hereinafter with reference to the accompanying drawings, in which preferred embodiments of the invention are shown. This invention may, however, be embodied in many different forms and should not be construed as limited to the embodiments set forth herein; rather, these embodiments are provided so that this disclosure will be thorough and complete, and will fully convey the scope of the invention to those skilled in the art. In the drawings, the thickness of layers and regions may be exaggerated for clarity. Like numbers refer to like elements throughout the description of the drawings.

Referring now to **Fig. 1**, a promotional apparatus 10 according to an embodiment of the present invention is illustrated. The illustrated promotional apparatus 10 includes a stand 12 and an intravenous fluid bag 14 suspended from the stand 12 to resemble an intravenous fluid bag in operation. A digital clock 15 is attached to the flexible intravenous fluid bag 14, as illustrated. It is also understood that the present invention is not limited to digital clocks. Various types and configurations of clocks can be utilized in accordance with the present invention, without limitation. Furthermore, the clock 15 may be attached to any portion of the intravenous fluid bag 14. In addition, promotional indicia 18 is disposed on the intravenous fluid bag 14.

In the illustrated embodiment, the stand 12 includes a base 20. An elongated column 22 with a free

end 22a extends upwardly from the base 20 along a first direction D_1 . The illustrated stand also includes a card holder 24 disposed on the base 20. The illustrated card holder 24 is configured to display business cards and other similar-sized articles. An elongated arm 26 extends outwardly from the elongated column 22 adjacent the elongated column free end 22a and along a second direction D_2 . As illustrated, the second direction D_2 is transverse to the first direction D_1 . Preferably, when the base 20 is supported on a horizontal surface, D_1 is a substantially vertical direction and D_2 is a substantially horizontal direction.

The elongated arm 26 includes a generally hook-shaped free end 26a. In the illustrated embodiment, the flexible intravenous fluid bag 14 is suspended vertically from the elongated arm free end 26a via an aperture 28 formed in an upper end 30 of the intravenous fluid bag 14.

The illustrated promotional apparatus 10 may be formed from two flexible, transparent polymeric sheet panels 32, 34 joined along respective peripheral edges 32a, 34a thereof to form a pouch 36 having the distinctive shape of an intravenous fluid bag. At a lower end 35, the peripheral edges 32a, 34a, are joined to form a protruding portion 37 that resembles tubing extending from an intravenous fluid bag.

The illustrated panels 32, 34 are preferably formed from thermoplastic material. Exemplary thermoplastic material out of which the illustrated panels 32, 34 may be formed includes, but is not limited to, polystyrene, acrylonitrile-butadiene-styrene (ABS), polycarbonate, polyvinylchloride (PVC),

and acrylic.

The illustrated panels 32, 34 have generally rectilinear configurations. However, it is understood that the panels 32, 34 may have other shapes and configurations as long as the resulting pouch 36 has the distinctive, recognized appearance of an intravenous fluid bag. The peripheral edges 32a, 34a of the panels 32, 34 are preferably heat welded to give the appearance of an actual intravenous fluid bag. However, the peripheral edges 32a, 34a may be joined in various ways as would be understood by one of skill in the art.

Referring to Fig. 2, the intravenous fluid bag 14 of Fig. 1 may be mounted to a wall 40 or other generally vertical surface via a hook 42, as illustrated. Referring to Fig. 3, the intravenous fluid bag 14 of Fig. 1 may be supported by a desktop stand 50 such that when the desktop stand is supported on a horizontal surface, the intravenous fluid bag 14 is supported at an angle relative to the horizontal surface.

Referring now to Figs. 4 and 5, a promotional apparatus 100 according to another embodiment of the present invention is illustrated. The illustrated promotional apparatus 100 includes a rigid, transparent block 102 having a shape that resembles an intravenous fluid bag, and having a clock 104 mounted on a face 106 of the block 102. In the illustrated embodiment, a portion 110 (Fig. 5) of the clock 104 is disposed within a cavity 112 formed within the block face 106. It is understood that the present invention is not limited to the illustrated clock 104. Various types,

shapes, and configurations of clocks can be utilized in accordance with this embodiment of the present invention, without limitation. In addition, the cavity 112 may have various shapes and configurations to accommodate a clock, as would be understood by one skilled in the art.

Preferably, the block 102 includes an aperture 114 adjacent an end of the block 102, as illustrated. Accordingly, the block can be suspended via a stand as described above with respect to the embodiment of **Fig. 1**. Also, promotional indicia 116 may be disposed on the block 102. The block 102 may be formed from various materials including, but not limited to, glass, thermosetting polymers, and thermoplastic polymers.

The foregoing is illustrative of the present invention and is not to be construed as limiting thereof. Although a few exemplary embodiments of this invention have been described, those skilled in the art will readily appreciate that many modifications are possible in the exemplary embodiments without materially departing from the novel teachings and advantages of this invention. Accordingly, all such modifications are intended to be included within the scope of this invention as defined in the claims. Therefore, it is to be understood that the foregoing is illustrative of the present invention and is not to be construed as limited to the specific embodiments disclosed, and that modifications to the disclosed embodiments, as well as other embodiments, are intended to be included within the scope of the appended claims.

The invention is defined by the following claims, with equivalents of the claims to be included therein.

THAT WHICH IS CLAIMED IS:

1. A promotional apparatus, comprising:
a transparent, flexible intravenous fluid
bag; and
a clock mounted on the flexible intravenous
5 fluid bag.
2. The promotional apparatus according to
Claim 1 wherein the clock comprises a digital display.
3. The promotional apparatus according to
Claim 1 wherein the intravenous fluid bag further
comprises an aperture adjacent an end thereof by which
the intravenous fluid bag can be suspended.
4. The promotional apparatus according to
Claim 3 further comprising a stand and wherein the
intravenous fluid bag is suspended from the stand via
the aperture.
5. The promotional apparatus according to
Claim 1 further comprising a stand and wherein the
intravenous fluid bag is supported by the stand on a
horizontal surface at an angle relative to the
5 horizontal surface.
6. The promotional apparatus according to
Claim 1 wherein the intravenous fluid bag further
comprises promotional indicia.

7. A promotional apparatus, comprising:
two transparent, flexible polymeric sheet
panels disposed substantially parallel to each other
and joined along respective peripheral edges thereof to
5 form a shape that resembles an intravenous fluid bag;
and
a clock mounted on one of the flexible
polymeric sheet panels.

8. The promotional apparatus according to
Claim 7 wherein the clock comprises a digital display.

9. The promotional apparatus according to
Claim 7 wherein the pouch further comprises an aperture
by which the pouch can be vertically suspended to
resemble an intravenous fluid bag in operation.

10. The promotional apparatus according to
Claim 9 further comprising a stand and wherein the
pouch is suspended from the stand via the aperture.

11. The promotional apparatus according to
Claim 7 wherein at least one of the two transparent
polymeric sheet panels comprises promotional indicia
thereon.

12. A promotional apparatus, comprising:
a stand, comprising:
a base;
an elongated column extending upwardly
5 from the base along a first direction and
having a first free end; and

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an elongated arm extending outwardly from the elongated column adjacent the elongated column free end and along a second direction transverse to the first direction, wherein the elongated arm has a second free end;

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a transparent, flexible intravenous fluid bag having an aperture formed in an end thereof, wherein the intravenous fluid bag is suspended from the elongated arm second end via the aperture; and a clock mounted on the flexible intravenous fluid bag.

13. The promotional apparatus according to Claim 12 wherein the clock comprises a digital display.

14. The promotional apparatus according to Claim 12 wherein the intravenous fluid bag further comprises promotional indicia.

15. The promotional apparatus according to Claim 12 wherein the stand further comprises a card holder disposed on the base.

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16. A promotional apparatus, comprising:
a rigid, transparent block having a shape that resembles an intravenous fluid bag, wherein the block comprises a front face; and
a clock mounted on the block front face.

17. The promotional apparatus according to Claim 16 wherein a cavity is formed within the front

face of the block and wherein a portion of the clock is disposed within the cavity.

18. The promotional apparatus according to Claim 16 wherein the block further comprises an aperture adjacent an end thereof by which the block can be suspended.

19. The promotional apparatus according to Claim 18 further comprising a stand and wherein the block is suspended from the stand via the aperture.

20. The promotional apparatus according to Claim 1 wherein the block further comprises promotional indicia disposed on the face thereof.

INTRAVENOUS FLUID BAG PROMOTIONAL APPARATUS WITH CLOCK

Abstract of the Disclosure

A novel promotional apparatus is provided and includes an intravenous fluid bag replica having a clock thereon. The promotional apparatus is configured to be vertically suspended from the arm of a stand. The
5 intravenous fluid bag replica may also be mounted to a wall or may be supported at an angle by a desktop stand.

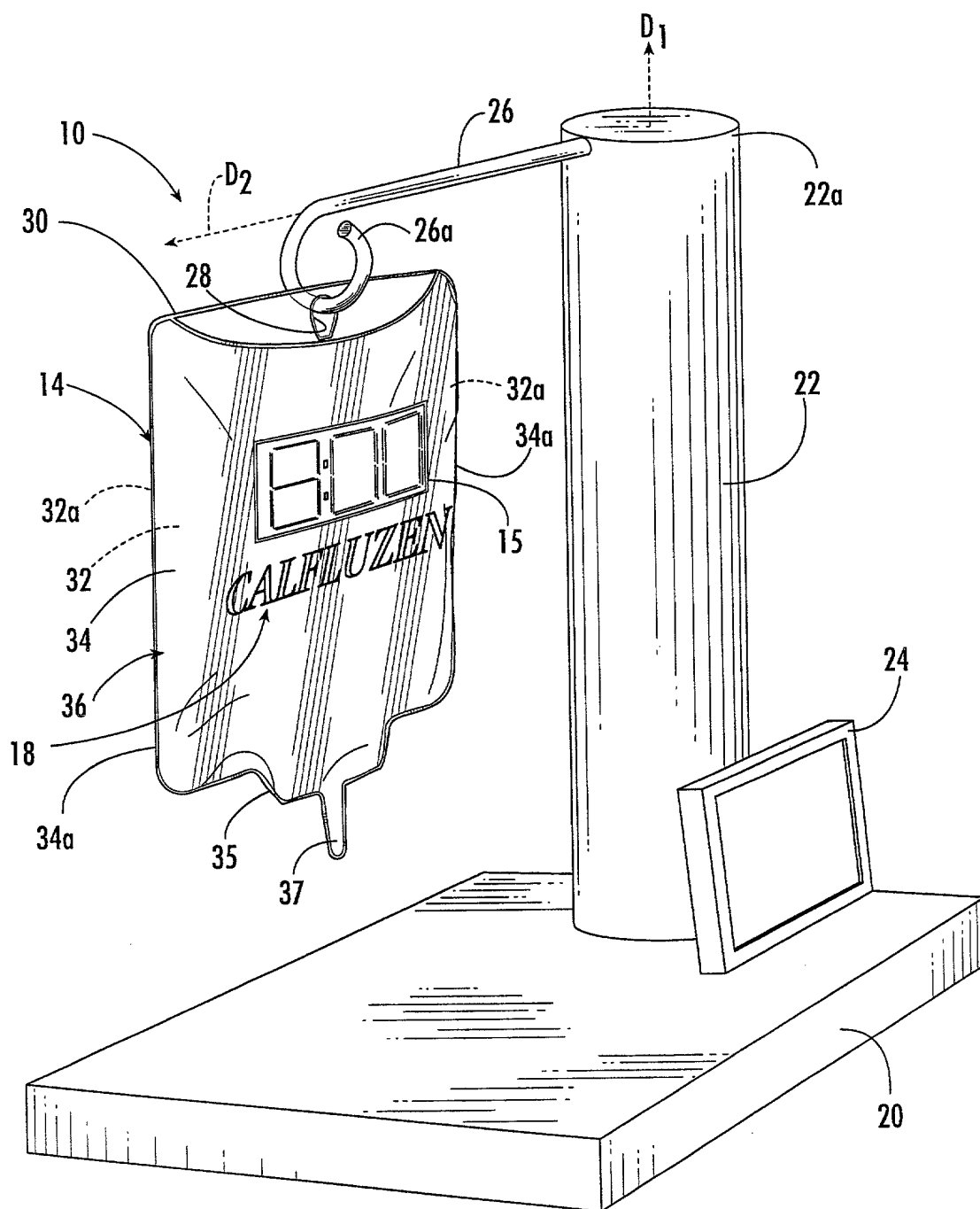


FIG. 1.

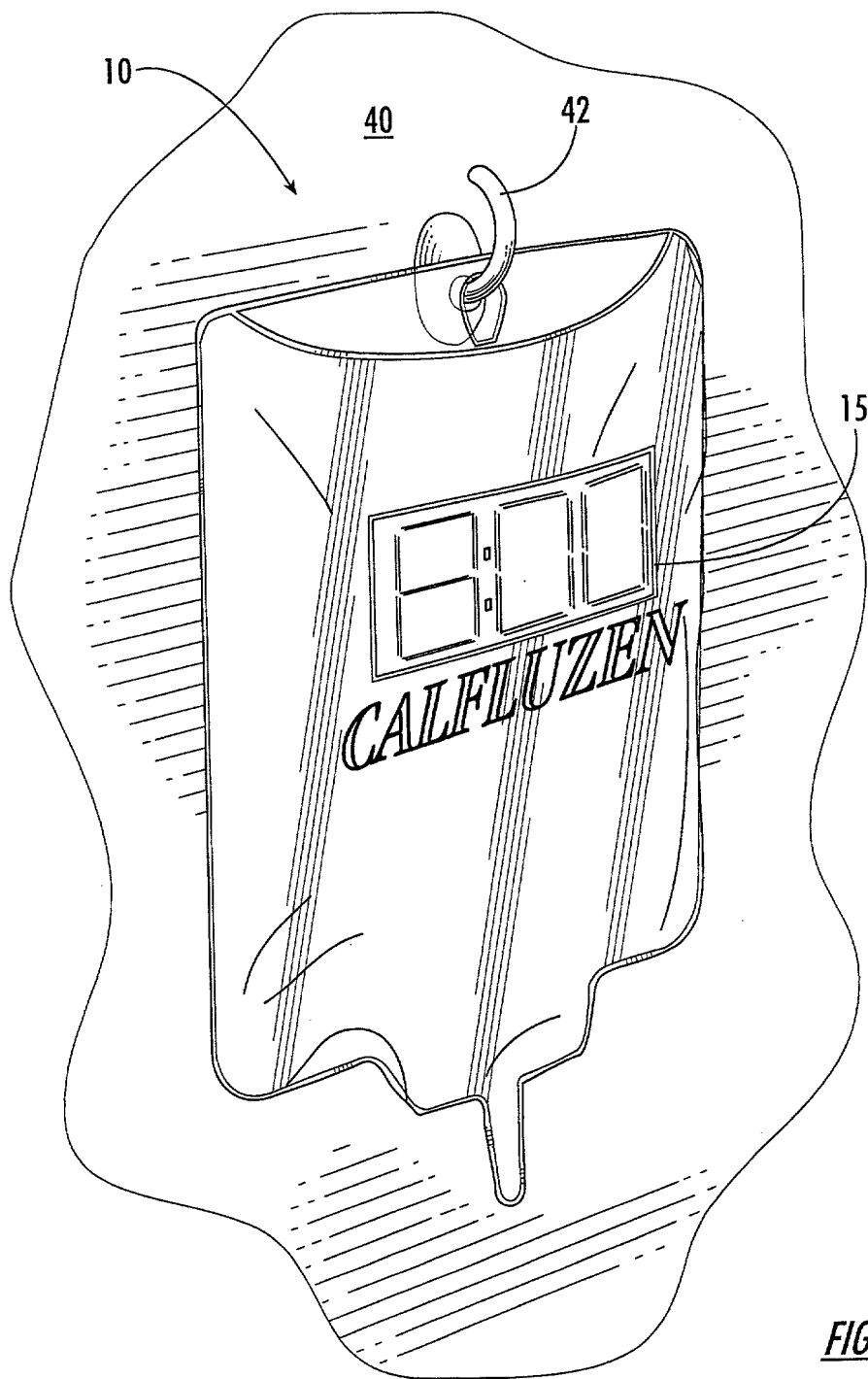


FIG. 2.

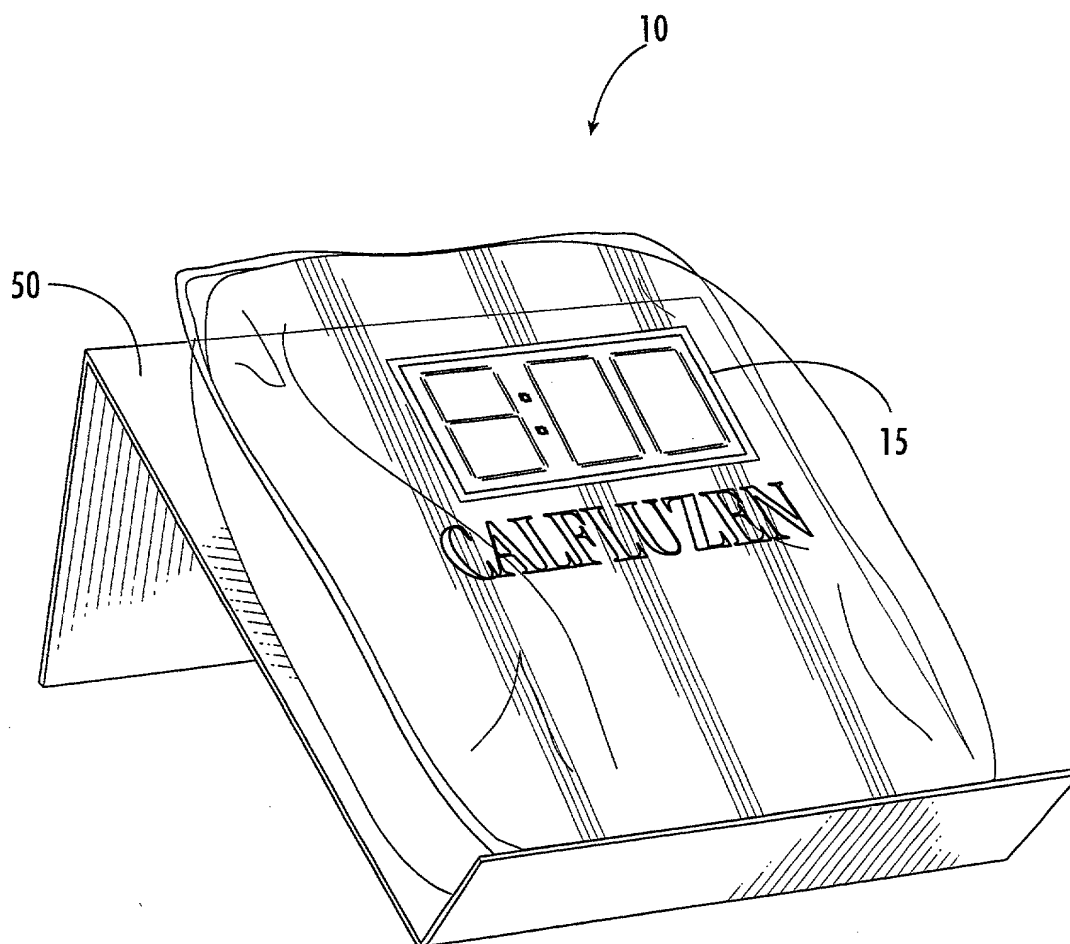


FIG. 3.

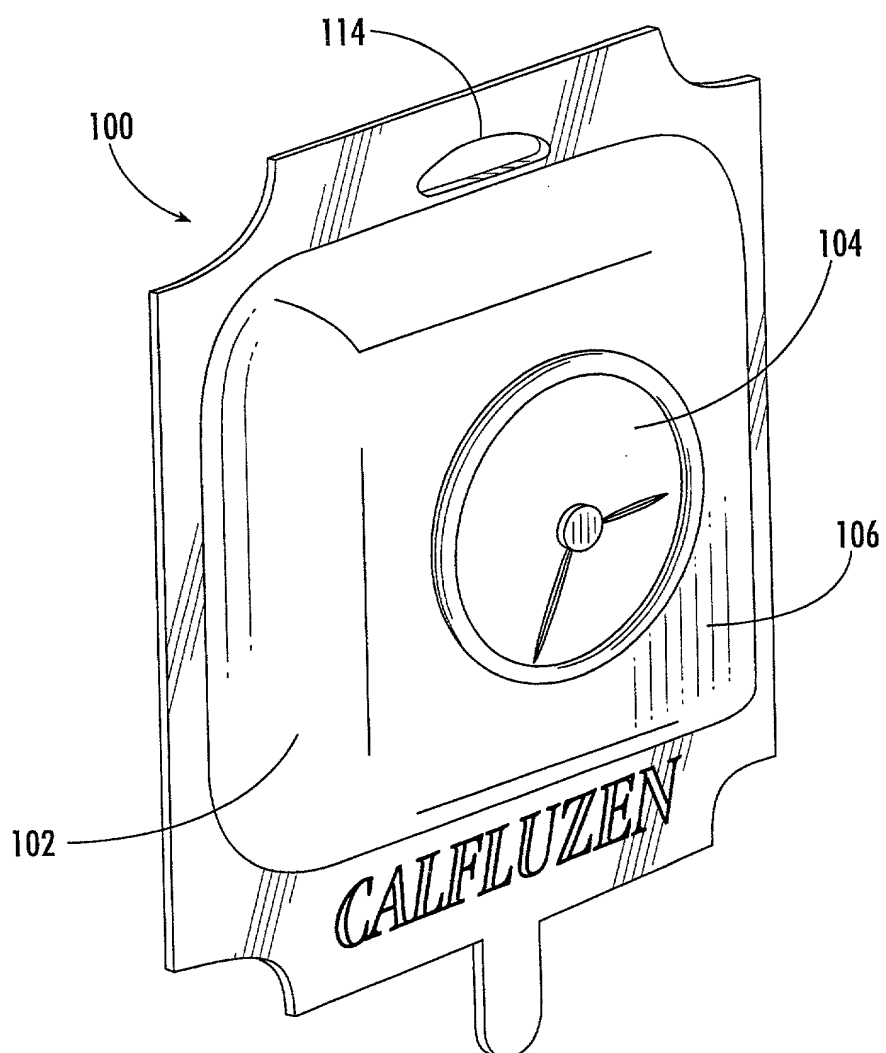
[illegible]

FIG. 4.

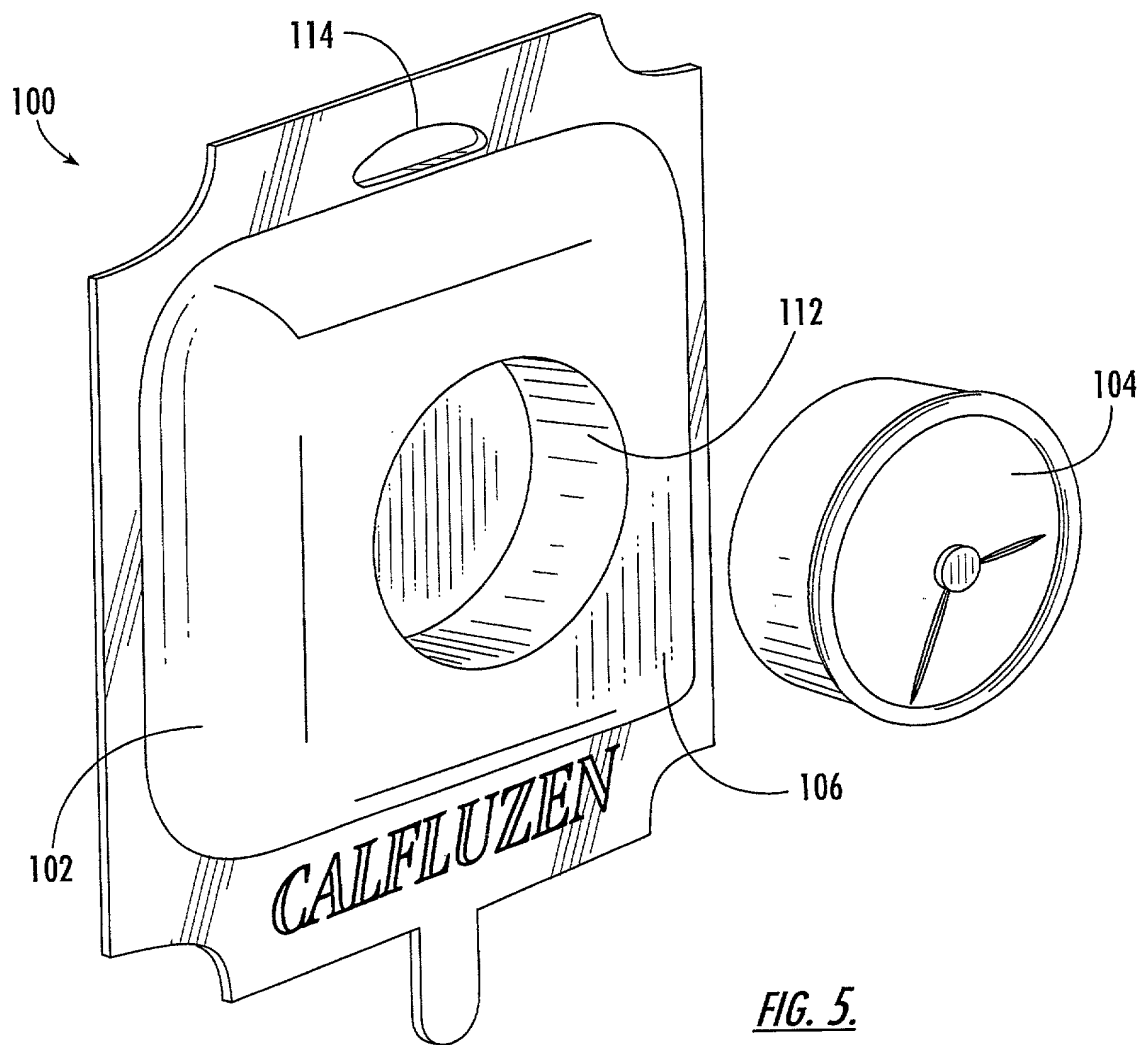


FIG. 5.

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 9008-9

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **INTRAVENOUS FLUID BAG PROMOTIONAL APPARATUS WITH CLOCK,**

the specification of which

☒ is attached hereto

OR

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

None			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

None	
Application Number(s)	Filing Date (MM/DD/YYYY)

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

None		
Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Customer Number 20792

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Full name of (first/sole) inventor: **Brenda S. Jones**

Inventor's
Signature: Brenda S. Jones Date: 3-30-00

Residence: Raleigh, North Carolina

Citizenship: United States of America

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Raleigh, North Carolina 27614